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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:)
REELZCHANNEL, LLC) CGB-CC _____
Petition for Partial Exemption Closed)
Captioning of the Closed Captioning Rules)

FILED/ACCEPTED

SEP 27 2010

Federal Communications Commission
Office of the Secretary

PETITION FOR TEMPORARY CLOSED CAPTIONING EXEMPTION

ReelzChannel, LLC ("ReelzChannel"), by its attorneys, and pursuant to Section 79.1(f) of the Commission's rules,¹ hereby submits this Petition for Temporary Closed Captioning Exemption ("Petition") by which it requests a short-term exemption from the Commission's closed captioning requirements² for all of its video programming through December 31, 2010. As demonstrated below, grant of this Petition would serve the public interest.³

ReelzChannel is a new video programming service which started its public operations on September 27, 2006. Through great effort and investment, ReelzChannel now is available in more than 50 million homes nationwide through distribution on direct broadcast satellite and cable television systems. "ReelzChannel is 'TV ABOUT MOVIES®,'" a channel devoted, 24/7, to programming about movies. ReelzChannel, including its innovative website, does not show movies. Rather, it focuses on topics and information about movies. ReelzChannel produces and distributes such popular original programs as *Hollywood Dailies*, *Spotlight*, *Hollywood's Top Ten*, and *Maltin on Movies*.

¹ 47 C.F.R. §79.1(f).

² 47 C.F.R. §79.1(b).

³ This Petition is supported by the attached Declaration of Michael E. Smith.

ReelzChannel has been operating under the automatic closed captioning exemption available to new video programming networks during their first four years of operation.⁴ That four-year exemption expires on September 27, 2010.

ReelzChannel currently is rolling out a new high definition (“HD”) feed of its channel. Deployment of the HD service is causing technical difficulties with aspects of the provision of closed captioning. While ReelzChannel addresses those technical difficulties, it hereby requests a temporary exemption from the provision of closed captioning through December 31, 2010. ReelzChannel will be phasing in closed captioning during this period of time but requires additional time to complete that transition. Nevertheless, ReelzChannel anticipates that a significant amount of its programming will contain captions during this period, with ever-increasing levels of captioning as the year progresses. Also, ReelzChannel will be able to pass through the captioning data already contained in programming, so it will be in compliance with its obligations under §79.1(c) of the Commission’s rules.

Failure to provide this exemption would cause an undue burden to ReelzChannel. The technical constraints on ReelzChannel as it deploys an HD feed for the first time make it impractical, and thus prohibitively expensive, to provide closed captioning immediately in full compliance with the Commission’s rules. ReelzChannel lacks any reasonable access to the resources to be in full compliance for the next few weeks and its operations likely could not support such compliance. The effects of the requested exemption would be limited because much of ReelzChannel’s programming will be close captioned, especially starting within the

⁴ 47 C.F.R. §79.1(d)(9). The instant Petition is not related to, and should not be considered to affect, ReelzChannel’s pending *Petition for Closed Captioning Exemption* seeking an exemption for the video program *Movies & Music*, filed with the Commission on September 15, 2010. ReelzChannel also has been operating under an exemption to the closed captioning obligation under 47 C.F.R. §79.1(c) to pass through existing closed captioning. CGB-CC-0598.

next few weeks, and in any event, the requested exemption would last only to the end of 2010, a short period of time.⁵

Therefore, ReelzChannel requests that it be exempted, beyond its obligation to pass through any existing captions under §79.1(c) of the Commission's rules, from closed captioning requirements for the programming it distributes through December 31, 2010. The public interest would be advanced by granting this limited, temporary exemption.

Respectfully submitted,

REELZCHANNEL, LLC



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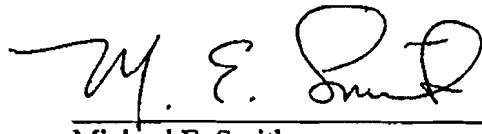
September 27, 2010

⁵ The amount of time requested here for exemption represents only about 6% of the automatic exemption available under §79.1(d)(9) of the Commission's rules.

DECLARATION OF MICHAEL E. SMITH

Michael E. Smith, subject to the penalty of perjury, declares the following:

I am a United States citizen, more than eighteen years of age, and competent to testify. I am the Senior Vice President of Programming and Production for ReelzChannel, LLC ("ReelzChannel"), a position I have held since October 2009. I have participated in the preparation of ReelzChannel's Petition for Temporary Closed Captioning Exemption ("Petition") to be submitted to the Federal Communications Commission ("FCC"), including reviewing a materially complete final draft of it. With the exception of information about which the FCC may take judicial notice, the assertions of fact in the Petition are accurate.



Michael E. Smith

September 24, 2010